

SUMMARY

ARKANSAS INSURANCE DEPARTMENT PROPOSED RULE 111

Craniofacial Anomaly Reconstructive Surgery Coverage

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To: Arkansas Legislative Council & Arkansas Bureau of Legislative Research

From: Booth Rand, Managing Attorney, Arkansas Insurance Department

CC: Alan McClain, Arkansas Insurance Commissioner; Steve Porch, General Counsel, Arkansas Department of Commerce; Russ Galbraith, Deputy Insurance Commissioner; Jim Brader, General Counsel; Jennifer Bruce, Public and Legislative Affairs Director

Date: January 31, 2022

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LEGISLATIVE AUTHORITY FOR RULE

The proposed Rule implements Ark. Code Ann. § 23-79-1503 which requires the Arkansas Insurance Department ("AID") to issue rules for the implementation and administration of coverage for craniofacial anomaly reconstructive surgery under Ark. Code Ann. § 23-79-1501 et seq

BACKGROUND AND PURPOSE OF RULE

The purpose of this Rule is to help implement recent changes to the Arkansas Craniofacial law made this last session in Act 955 of 2021, "An Act to Modify the Law Concerning Craniofacial Coverage and to Establish Wendelyn's Craniofacial Law" (hereafter, Act 955).

EXPLANATION OF THE PROPOSED RULE

The proposed Rule implements the new amendments by: (1) clarifying that surgical team members may provide authorizations for services; (2) creating time frames consistent with Act 955 of 2021 for reviews and evaluations of craniofacial services for insurance adjudications; (3) the proposed Rule also permits fees or charges to insurers for evaluations of proposed services to help resource and pay for ACPA team efforts to review and approve services; (4) the proposed rule provides additional incidental mandates for eye services and out of network charges; (5) the proposed rule provides an authorization form to help simplify approvals for services; and (5) the proposed Rule also provides needed definitions not in Act 955 of 2021 to help clarify the craniofacial coverage laws.